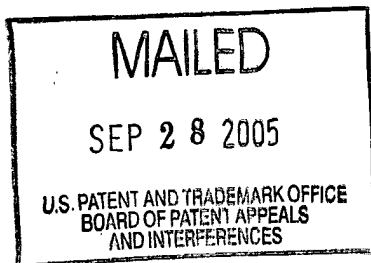


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES



Ex parte GOPAL PARUPUDI,  
STEPHEN S. EVANS and EDWARD F. REUS

Application 09/746,924

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on September 22, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matters requiring attention prior to docketing are identified below:

A review of the Image File Wrapper (IFW) indicates that an Information Disclosure Statement (IDS) was filed on April 22, 2005. It is not apparent from the record whether the examiner considered the statement submitted or notified appellants of why their submission did not meet the requirement set forth in 37 CFR §§ 1.97 and 1.98. A communication notifying appellants of the Primary Examiner's decision is required.

Application 09/746,924

In addition, another IDS was filed on June 26, 2003. However, page 2 of this IDS does not appear to have been considered. Correction is required.

Accordingly, it is

ORDERED that the application is returned to the Examiner:

- 1) for consideration of the IDS filed April 22, 2005;
- 2) for consideration of page 2 of the IDS filed June 26, 2003;
- 3) for appropriate notification to appellants, regarding the Primary Examiner's decision; and
- 4) for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: 

DALE M. SHAW  
Program and Resource Administrator  
(571) 272-9797

DMS:psb

Lee & Hayes PLLC  
421 W. Riverside Avenue - Suite 500  
Spokane, WA 99201